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**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-4803

January 28, 2011

The Honorable Ruth Y. Goldway  
Chairman  
Postal Regulatory Commission  
Washington, D.C. 20268-0001

Dear Chairman Goldway:

I urge the Postal Review Commission (PRC) to review the closure process for post offices and retail postal facilities, and to provide recommendations to the Congress that will better ensure the opportunity for the public to comment on and appeal unjust decisions.

According to the PRC's Order on Appeal, the people of Webster County, West Virginia, were denied their legal right to comment on the closure of the Hacker Valley Post Office by the United States Postal Service (USPS). The closure occurred on June 30, 2009, when the Post Office's lease expired. The landlord had previously given the USPS three-years notice and offered to extend the lease to prevent closure, and still the USPS issued an "emergency suspension" to close the Post Office.

I wrote to the Acting District Director, Appalachian District, in June 2009, asking for reconsideration of the decision, stating my concern about the impacts of the closure and reiterating the offer of a lease extension. The community also offered, at no cost to the USPS, to build a new post office, to bring the existing building up to code, or to lease a vacated building at a nominal fee, all of which appears to have fallen on deaf ears. Clearly, when a community tries to meet the USPS more than half-way on a postal closure, and the USPS claims emergency authorities to suspend operations at a postal facility after being given three years notice of an expiring lease, there is need for reform.

The USPS violated its own rules when it failed to reopen the Post Office or to initiate the formal discontinuance process. In its Order on Appeal, the PRC criticized the USPS saying, "by utilizing its suspension authority to terminate service in the Hacker Valley community, the Postal Service has ignored the Congressional intent to preserve service while the process for evaluating whether or not to close a post office is ongoing."

Eighteen months after the closure my constituents are still in limbo. They have been denied their right under the regular closure procedure, and the USPS has just begun a discontinuance study that could take years before any redress can be expected. Mail-based businesses in the area are being disrupted. The people of Hacker Valley must now drive more than 20 miles, round trip, to the nearest post office. For seniors and veterans, they must now drive miles out of their way to retrieve social security and disability checks by mail, a hardship

that can be impossible for the elderly during harsh winters on dangerous roads. They are also being denied the necessity of having a safe, secure location in their local post office for prescription drug deliveries, a significant cause of concern given the epidemic of prescription drug abuse in the region.

The people of West Virginia deserve regular and effective mail services like everyone else. The law requires the USPS to “provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining” – in other words, whether you live in the great metropolitan cities, or in a small rural community in southern West Virginia, the law guarantees reliable and effective mail services for everybody. The Postal Service must not forget that.

What happened to Hacker Valley echoes what has happened in other small towns in southern West Virginia; the Postal Service suspends services at postal facilities, taking the hub of the town center for public gatherings and meetings, and threatening the sense of identity of a community.

The lack of clarity and abuse of discretion in the closure process for Hacker Valley demands scrutiny. I urge the Postal Review Commission to review the Postal Service’s compliance with applicable laws, and to provide recommendations to the Congress to ensure a fair and equitable closure process for the people of rural communities.

Sincerely,



Nick Rahall, II  
Member of Congress